



General Assembly

**Amendment**

February Session, 2012

LCO No. 3912

**\*SB0021803912SD0\***

Offered by:

SEN. SLOSSBERG, 14<sup>th</sup> Dist.

REP. MORIN, 28<sup>th</sup> Dist.

To: Subst. Senate Bill No. 218

File No. 109

Cal. No. 107

**"AN ACT CONCERNING POLLING PLACES FOR PRIMARIES."**

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. Section 9-438 of the general statutes is repealed and the  
4 following is substituted in lieu thereof (*Effective from passage*):

5 [In] (a) Except as otherwise provided in subsection (b) of this  
6 section, in each municipality or voting district, the polling place or  
7 places for [primaries] a primary held under sections 9-382 to 9-450,  
8 inclusive, shall be the same as those used for the election to be held.  
9 When unaffiliated electors are authorized under section 9-431 to vote  
10 in the primary of either of two parties, both parties shall hold their  
11 primaries in the same room of each such polling place.

12 (b) The registrars of voters of a municipality may reduce the  
13 number of polling places required under subsection (a) of this section  
14 and shall designate such polling place or places not later than sixty

15 days prior to a primary held under sections 9-382 to 9-450, inclusive,  
16 the location of which may be the same or different than of those  
17 polling places required under subsection (a) of this section. Not earlier  
18 than sixty days prior to such primary, but not later than forty-five days  
19 prior to such primary, the registrars of voters shall notify the Secretary  
20 of the State and the candidates seeking nomination to an office in such  
21 primary of the change in the polling place or places. If such a  
22 candidate objects to a change in the polling place or places, the  
23 candidate shall notify the Secretary of such objection not later than  
24 four o'clock p.m. on the thirtieth day prior to the primary. Such  
25 notification from the candidate shall be in the form of a written letter,  
26 signed by the candidate, and shall be held confidential by the  
27 Secretary. The Secretary shall promptly notify such registrars of voters  
28 and any candidate seeking nomination to an office in such primary  
29 that the Secretary has received a letter of objection, which notification  
30 shall not identify the candidate who objected. If such a candidate so  
31 objects, or if a municipality's registrars of voters cannot agree upon a  
32 polling place or places for a primary, the polling place or places shall  
33 be the same as those used for the election to be held. Not later than  
34 twenty-one days prior to a primary, the registrars of voters shall send  
35 notification of the polling place for the primary, by mail, to each elector  
36 whose polling place for the primary will be different than the elector's  
37 polling place for the election. If any polling place that would otherwise  
38 be open pursuant to subsection (a) of this section is closed pursuant to  
39 this subsection, the registrars of voters shall ensure that a sign is  
40 posted at such polling place providing electors with information to  
41 redirect the electors to the open polling place or places for the primary.  
42 When unaffiliated electors are authorized under section 9-431 to vote  
43 in the primary of either of two parties, both parties shall hold their  
44 primaries in the same room of each such polling place.  
45 Notwithstanding any provision of title 7 or 9, any special act, charter  
46 or ordinance, if the number of polling places are reduced pursuant to  
47 the provisions of this subsection, the number of moderators required  
48 for such primary may be reduced, if the registrars of voters so agree,  
49 provided at least one certified moderator serves each polling place.

50       (c) On the day of the primary, the polls shall remain open for voting  
51       from six o'clock a.m. until eight o'clock p.m.

52       Sec. 2. (NEW) (*Effective from passage*) Whenever a complaint is made,  
53       in writing, to the State Elections Enforcement Commission that a  
54       registrar of voters of any town is guilty of misconduct, wilful and  
55       material neglect of duty or incompetence in the conduct of such  
56       registrar's office, said commission shall investigate the charges as the  
57       commission deems proper and shall, if of the opinion that the evidence  
58       obtained warrants such action, prepare a statement, in writing, of the  
59       charges against such registrar of voters, together with a citation in the  
60       name of the state, commanding such registrar of voters to appear  
61       before a judge of the Superior Court at a date named in such citation  
62       and show cause, if any, why such registrar should not be removed  
63       from office as provided in this section. Said commission shall cause a  
64       copy of such statement and citation to be served by the proper officer  
65       upon the defendant not later than ten days before the date of  
66       appearance named in such citation, and the original statement and  
67       citation, with the return of the officer on such statement and citation,  
68       shall be returned to the clerk of the superior court for the judicial  
69       district within which such town is situated. To carry out the provisions  
70       of this section, the commission shall have power to summon witnesses,  
71       require the production of necessary books, papers and other  
72       documents and administer oaths to witnesses. Upon the day named in  
73       such citation for the appearance of such registrar of voters, or upon  
74       any adjourned day fixed by the judge before whom such proceedings  
75       are pending, the commission shall appear and conduct the hearing on  
76       behalf of the state. If, after a full hearing of all the evidence offered by  
77       the commission and by and in behalf of the defendant, the judge is of  
78       the opinion that the evidence presented warrants the removal of such  
79       registrar of voters, the judge shall cause to be prepared a written order  
80       to that effect, which shall be signed by the judge and lodged with the  
81       clerk of the superior court for the judicial district in which the  
82       defendant resides. Such clerk of the superior court shall cause a  
83       certified copy of such order to be served forthwith upon such registrar

84 of voters, and upon such service the office held by such registrar of  
85 voters shall become vacant and the vacancy shall be filled in the  
86 manner provided in section 9-192 of the general statutes. Any  
87 witnesses summoned and any officer making service under the  
88 provisions of this section shall be allowed and paid by the state the  
89 same fees as are allowed by law in criminal prosecutions.

90 Sec. 3. Subsection (a) of section 9-7b of the 2012 supplement to the  
91 general statutes is amended by adding subdivision (19) as follows  
92 (*Effective from passage*):

93 (NEW) (19) To carry out an investigation of a registrar of voters in  
94 accordance with the provisions of section 2 of this act.

95 Sec. 4. Subsection (a) of section 9-45 of the general statutes is  
96 repealed and the following is substituted in lieu thereof (*Effective July*  
97 *1, 2012*):

98 (a) The Commissioner of Correction shall, on or before the fifteenth  
99 day of each month, transmit to the Secretary of the State a list of all  
100 persons who, during the preceding calendar month, have been  
101 convicted in the Superior Court of a felony and committed to the  
102 custody of the Commissioner of Correction for confinement in a  
103 correctional institution or facility or a community residence. Such lists  
104 shall include the names, birth dates and addresses of such persons,  
105 with the dates of their conviction and the crimes of which such persons  
106 have been convicted. The Secretary of the State shall transmit such lists  
107 to the registrars of the towns in which such convicted persons resided  
108 at the time of their conviction and to the registrars of any towns where  
109 the secretary believes such persons may be electors. The registrars of  
110 such towns shall compare the same with the list of electors upon their  
111 registry lists and, after written notice mailed [by certified mail to each  
112 of the persons named at the last-known place of address of] to each  
113 such person, in care of the Department of Correction, shall erase such  
114 names from the registry lists in their respective towns or voting  
115 districts.

116 Sec. 5. Section 9-6 of the 2012 supplement to the general statutes is  
117 repealed and the following is substituted in lieu thereof (*Effective*  
118 *October 1, 2012*):

119 (a) Each registrar of voters or, in the absence of a registrar, the  
120 deputy registrar of voters, and each municipal clerk or, in the absence  
121 of a municipal clerk, one of the assistant municipal clerks shall be  
122 compensated by the municipality which the registrar or clerk  
123 represents, as provided [for] in this section, for attending two  
124 conferences a year for town clerks and registrars of voters which may  
125 be called by the Secretary of the State for the purpose of discussing the  
126 election laws [,] or procedures or matters related [thereto] to such laws  
127 or procedures, including, but not limited to, compliance with the  
128 provisions of section 9-322a, as amended by this act.

129 (b) Each such official shall be compensated by the municipality at  
130 the rate of thirty-five dollars per day for attending each such  
131 conference, plus mileage to and from such conference at a rate per mile  
132 determined by the municipality, but not less than twenty cents per  
133 mile, computed from the office of such official or, if [he] such official  
134 has no office, from [his] such official's home to the place where such  
135 conference is being held.

136 Sec. 6. Section 9-169g of the general statutes is repealed and the  
137 following is substituted in lieu thereof (*Effective October 1, 2012*):

138 (a) The town clerk of any municipality (1) which is divided between  
139 two or more assembly districts, two or more senatorial districts or two  
140 or more congressional districts, or (2) which is not divided between  
141 any such districts but is divided into two or more voting districts for  
142 General Assembly or congressional elections, shall submit to the  
143 Secretary of the State a street map of the municipality which indicates  
144 the boundary lines of the voting districts established by the  
145 municipality in accordance with sections 9-169, 9-169a and 9-169d. The  
146 town clerk shall submit such map to the [secretary in a printed or  
147 electronic format prescribed by the secretary] Secretary (A) not later

148 than thirty days after any such division first takes effect, and (B) not  
149 later than thirty days after any change in any such division takes effect.  
150 Each town clerk shall submit such map in electronic format, when  
151 possible, but may submit such map in printed format when electronic  
152 submission is not possible.

153 (b) The Secretary of the State shall make such maps available to the  
154 General Assembly, for use by the General Assembly in carrying out its  
155 responsibilities under (1) Article XXVI of the Amendments to the  
156 Constitution of Connecticut, or any subsequent corresponding state  
157 constitutional provision, with regard to the redistricting of assembly,  
158 senatorial and congressional districts, and (2) Public Law 94-171,  
159 concerning the establishment of a plan identifying the geographic  
160 areas for which specific tabulations of population are desired in the  
161 decennial census of the United States.

162 (c) Any town clerk who fails to comply with the provisions of  
163 subsection (a) of this section shall be fined twenty dollars.

164 Sec. 7. Section 9-322a of the general statutes is repealed and the  
165 following is substituted in lieu thereof (*Effective October 1, 2012*):

166 (a) Not later than twenty-one days following each regular state  
167 election, the town clerk of each town divided into voting districts shall  
168 file with the Secretary of the State a consolidated listing, in tabular  
169 format, as prescribed by the Secretary of the State, of the official  
170 returns of each such voting district for all offices voted on at such  
171 election, including the total number of votes cast for each candidate,  
172 the total number of names on the registry list, and the total number of  
173 names checked as having voted, in each such district. The town clerk  
174 of such town shall certify that he or she has examined the lists  
175 transmitted under this section to determine whether there are any  
176 discrepancies between the total number of votes cast for a candidate at  
177 such election in such town, including for any recanvass conducted  
178 pursuant to section 9-311 or 9-311a, and the sum of the votes cast for  
179 the same candidate in all voting districts in such town. In the case of

180 any such discrepancy, the town clerk shall notify the head moderator  
181 and certify that such discrepancy has been rectified. Each listing filed  
182 under this section shall be retained by the Secretary of the State not  
183 less than ten years after the date of the election for which it was filed.

184 (b) Each town clerk shall electronically file the consolidated listing  
185 required under subsection (a) of this section, provided the town has  
186 provided the town clerk with access to a computer. Nothing in this  
187 subsection shall be construed to require a town to purchase a  
188 computer.

189 (c) Any town clerk who fails to comply with the provisions of this  
190 section shall be fined twenty dollars.

191 Sec. 8. Subsection (a) of section 9-159q of the general statutes is  
192 repealed and the following is substituted in lieu thereof (*Effective from*  
193 *passage*):

194 (a) As used in this section and section 9-159r, as amended by this  
195 act:

196 (1) "Institution" means a veterans' health care facility, residential  
197 care home, health care facility for the handicapped, nursing home, rest  
198 home, mental health facility, alcohol or drug treatment facility, an  
199 infirmary operated by an educational institution for the care of its  
200 students, faculty and employees or an assisted living facility; and

201 (2) "Designee" means an elector of the same town and political party  
202 as the appointing registrar of voters which elector (A) is not an  
203 employee of the institution at which supervised voting is conducted,  
204 and (B) did not solicit qualifying contributions under chapter 157 for  
205 any candidate on the ballot during the election cycle in which any such  
206 candidate is seeking nomination or election to office.

207 Sec. 9. Subsection (a) of section 9-159r of the general statutes is  
208 repealed and the following is substituted in lieu thereof (*Effective from*  
209 *passage*):

210 (a) Notwithstanding any provision of the general statutes, [to the  
211 contrary,] if twenty or more of the patients in any institution in the  
212 state are electors, absentee ballots voted by such electors shall be voted  
213 under the supervision of the registrars of voters or their designees of  
214 the town in which the institution is located, in accordance with the  
215 provisions of this section. [As used in this section, the term  
216 "institution" shall be construed as defined in section 9-159q.]

217 Sec. 10. Subsection (e) of section 9-35 of the general statutes is  
218 repealed and the following is substituted in lieu thereof (*Effective July*  
219 *1, 2012*):

220 (e) In any case in which the registrars have obtained reliable  
221 information of an elector's change of address within the municipality,  
222 they shall enter the name of such elector on the registry list at the place  
223 where the elector then resides, provided, if such reliable information is  
224 the National Change of Address System of the United States Postal  
225 Service, the registrar shall change the registry list and send the elector  
226 a notice of the change by forwardable mail and a postage prepaid  
227 preaddressed return form by which the elector may verify or correct  
228 the address information. If during the canvass the registrars determine  
229 that an elector has moved out of town and such elector has not  
230 confirmed in writing that the elector has moved out of the town, the  
231 registrars shall, not later than May first, send to the elector, by  
232 forwardable mail, a notice required by the National Voter Registration  
233 Act of 1993, P.L. 103-31, as amended from time to time, together with a  
234 postage prepaid preaddressed return card on which the elector may  
235 state the elector's current address. In the year of a presidential  
236 preference primary, the registrars shall send such notice not earlier  
237 than the date of such primary. If the registrar does not receive the  
238 return card within thirty days after it is sent, the elector's name,  
239 including the name of an elector who has not voted in two consecutive  
240 federal elections, shall be placed on the inactive registry list for four  
241 years. At the expiration of such period of time on the inactive registry  
242 list, such name shall be removed from the registry list. If such elector  
243 applies to restore the elector's name to the active registry list or votes



244 during such period, the elector's name shall be restored to the active  
 245 registry list. Such registrars shall retain a duplicate copy or record of  
 246 each such notice in their office or, if they do not have a permanent  
 247 office, in the office space provided under section 9-5a, and shall note  
 248 on such duplicate copy or record the date on which such notice was  
 249 mailed. In each municipality, any elector, upon change of residence  
 250 within the municipality, may cause the elector's registration to be  
 251 transferred to the elector's new address by presenting to the registrars  
 252 [a signed request therefor, stating the elector's present address, the  
 253 date the elector moved to such address and the address at which the  
 254 elector was last registered] a new application for voter registration.  
 255 The registrars shall thereupon enter the elector's name on the list at the  
 256 elector's new residence; provided no transfer of registration shall be  
 257 made on the registry list on election day without the consent of [both  
 258 registrars] each registrar."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	9-438
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>from passage</i>	9-7b(a)
Sec. 4	<i>July 1, 2012</i>	9-45(a)
Sec. 5	<i>October 1, 2012</i>	9-6
Sec. 6	<i>October 1, 2012</i>	9-169g
Sec. 7	<i>October 1, 2012</i>	9-322a
Sec. 8	<i>from passage</i>	9-159q(a)
Sec. 9	<i>from passage</i>	9-159r(a)
Sec. 10	<i>July 1, 2012</i>	9-35(e)